

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND

IN RE MUTUAL FUNDS INVESTMENT LITIGATION	:	MDL DOCKET NO. 1586
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IN RE ALGER, COLUMBIA, JANUS, MFS, ONE GROUP, PUTNAM, PIMCO	:	Civil No. 04-md-15863 (JFM)
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This Document Relates to: COLUMBIA SUB-TRACK	:	
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<i>Slaybe v. Columbia Management Advisors, Inc.</i>	:	04-1768 (D.Md.)
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[PROPOSED] FUND DERIVATIVE ORDER

For the reasons stated in the memorandum of opinion filed November 3, 2005, it is this
_____ day of _____ 2006 ORDERED

1. Defendants' motion to dismiss is granted in part and denied in part;
2. The motion is denied as to the claim asserted under Section 36(b) of the Investment Company Act ("ICA") in Count I against defendants Columbia Wanger Asset Management, Columbia Management Advisors Inc., Columbia Funds Services, Inc., and Columbia Funds Distributor, Inc.;
3. The motion is denied without prejudice as to the claim asserted under Section 48(a) of the ICA in Count V, as it relates to claims under Section 36(b), against defendants Bank of America Corp., Columbia Management Group, Inc., and Joseph R. Palombo;
4. In accordance with the Order entered December 8, 2004, all claims against Canary Capital Partners LLC, Canary Capital Partners Ltd, Canary Investment Management LLC, and Edward J. Stern are stayed;
5. The motion is granted as to the remaining federal and state claims, and those claims are dismissed without leave to amend against Defendants Columbia Management Group Inc., Columbia Fund Services Inc., Columbia Funds

Distributors Inc., Bank of America Corp., Columbia Wanger Asset Management, Columbia Management Advisors Inc., Joseph R. Palombo, Margaret Eisen, Leo A. Guthart, Jerome Kahn, Jr., Steven N. Kaplan, David C. Kleinman, Allan B. Muchin, Robert E. Nason, John A. Wing, Charles P. McQuaid, Ralph Wanger, Douglas A. Hacker, Janet Langford Kelly, Richard W. Lowry, Charles R. Nelson, John J. Neuhauser, Patrick J. Simpson, Thomas E. Stitzel, Thomas C. Theobald, Anne-Lee Verville, Richard L. Woolworth, William E. Mayer, Aurum Securities Corp., Aurum Capital Management Corp., Banc of America Securities LLC, Daniel G. Calugar (Security Brokerage, Inc.), Pritchard Capital Partners LLC, Ilytat L.P., D.R. Loeser, Ritchie Capital Management Inc., Signalert Corp., Tandem Financial Services Inc., and Alan Waldbaum.

J. Frederick Motz
United States District Judge